

S.B. Criminal Leave to Appeal No.250/2006
(State Vs. Nabbu Khan)

Date of Order : 31.08.2006.

HON'BLE MR. JUSTICE SATYA PRAKASH PATHAK

Mr. V.R. Mehta, Public Prosecutor.

This criminal leave to appeal under Section 378(iii) & (i) Cr.P.C. has been filed by the State against the judgment and order dated 05.05.2006 passed by the learned Judicial Magistrate, First Class No.1, Sujangarh, in Criminal Case No.353/01, whereby the accused respondent has been acquitted of the charge under Section 447 and 188 IPC.

Heard learned Public Prosecutor and carefully gone through the material available on record.

Taking into consideration all the facts and circumstances of the case and on the perusal of the impugned judgment of the acquittal passed by the learned trial court, I find it to be a fit case to grant leave to appeal.

Accordingly, the leave to appeal is granted. The memo of leave to appeal be treated as memo of appeal. Bailable warrant in the sum of Rs.5,000/- be issued against accused-respondent Nabbu Khan son of Bhanwroo Khan for his appearance before this court on 1st November, 2006 and as & when called upon to do so.

Call for the record.

(SATYA PRAKASH PATHAK), J.

vijayant